

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 7, 2007**

---

**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: STEPHEN HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 1405 S. Casino Center Blvd.

PROPERTY OWNER: MARTIN TODD GROUP - Ward 3 (Reese)

**Fiscal Impact**☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available**

**Amount:** \$6,472.85

**Funding Source:** General Fund

**Dept./Division:** Neighborhood Services/Response

**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C. H. Construction to remove the refuse, waste, trash, debris, vegetation (including dead bushes, trees, ground covering, and trimming low hanging tree limbs), secure doors/windows and openings that are open/accessible or openings not boarded to City of Las Vegas specifications, secure rear property line with minimum 6 foot chain link fence, removal of shed from rear of property and post No vehicles, No Trespassing, No Dumping signs (4x4 posts, 3x4 foot sign face, on each frontage of vacant lots). To date, there have been nineteen (19) inspections conducted at this location. The value of the property based on the sale date of March 2005 was \$550,000.

**RECOMMENDATION:**

That the City Council: Approve the report of expenses in the amount of \$4,369.00 for work completed by C. H. Construction, plus a 15% administrative fee of \$655.35, reinspection fees (including late fees) of \$148.50, civil penalties in the amount of \$1,300.00, for a total amount of \$6,472.85, and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

**CITY COUNCIL MEETING OF: March 7, 2007**

Motion made by GARY REESE to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LARRY BROWN, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, indicated the condition of the property as a public hazard and attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken, nor an appeal filed, the Department of Neighborhood Services hired C.H. Construction to remove waste, trash, debris, vegetation, including dead bushes, ground covering, secured doors and windows and secured the property line with a 6-foot chain link fence and posted No Trespassing, No Dumping signs. To date there have been 19 inspections at this location. The property value based on the sale date of March 2005 was \$550,000. MR. SMITH recommended that the City Council approve the report of expenses in the amount of \$4,369, plus a 15 percent administrative fee of \$655.35, reinspection and late fees of \$148.50, civil penalties in the amount of \$1,300, for a total of \$6,472.85, and that the above charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer. In addition, the City Council may impose daily civil penalties from October 19, 2006 to October 23, 2006 for a total amount of \$2,500.

ATTORNEY KEVIN HANSEN appeared on behalf of the Martin Todd Group and stated that they do not dispute the abatement by the City. He explained that few weeks after this client purchased the property in April of 2005, a lawsuit was filed in civil court by another property owner who was attempting to purchase the same property. When the City sent the notice that the property needed to be cleaned, the other party to the law suit filed a Motion for Preliminary Injunction in front of Judge Nancy Saitta. His client wanted to tear down the property, but it was prohibited with order entered by Judge Saitta. His client hired someone to do the repairs as requested by the City, but a terrible job was done. The City then abated the property. The case was set to go to trial in January, but Judge Saitta left the bench. On February 27th, the Motion for Summary Judgment was heard in front of Judge Susan Johnson. Their alternative request was for a quick trial. ATTORNEY HANSEN reiterated that his client is aware of the problem and is trying to deal with this issue.

MAYOR GOODMAN stated he would imagine ATTORNEY HANSEN will prevail on the lawsuit and that whatever damages have been incurred as the result of the Preliminary Injunction would be awarded to his client and that ultimately justice would be served.

MAYOR GOODMAN declared the Public Hearing closed.

**CITY COUNCIL MEETING OF: March 7, 2007**

